

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1 and 4-17 are currently pending as Applicants have canceled claims 2-3 and added new claim 17.

The Examiner notes that in Figure 6 reference numeral 600, which is described in the Specification, is not shown in the figure. Applicants submit a replacement sheet for the sheet of drawings that include Figure 6 that includes the missing reference numeral. As Applicants are filing the replacement sheet, Applicants respectfully submit that the objection has been overcome and request that the objection be withdrawn.

In the Office Action, claims 1-4, 6, 9 and 15 were rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,480,504 to Wang. Applicants have amended claims 1, 4, 6, 9 and 15 and have canceled claims 2-3 to obviate the rejection. Focusing on the amendments to independent claims 1, 6 and 15, the present invention is directed to slot cycle assignments within a communication system whereby the duration of the slot cycles are used to determine the mode of operation of a mobile device within the communication system. With respect to claim 1 and 6, the methods are directed to the duration of a first and second slot cycle for different remote units is used to determine whether the units are operating in a first or second service or mode of operation. The first and second service or modes of operation can be selected from a dispatch or non-dispatch mode. See claims 7 and 17. With respect to claim 15, the apparatus includes circuitry that determines the mode of operation by utilizing the duration of the first and second slot cycle.

As stated in the Specification, the slot cycle for a first mode of operation and a second mode of operation can be different because of the nature of the communication systems. For the examples of dispatch and non-dispatch modes, the slot cycle of the dispatch mode is shorter than the slot cycle of the non-dispatch mode. The present invention is directed to determining the mode of operation based on these differences.

Wang, on the other hand, does not examine duration of any slot cycles to make a determination of the service that the system is providing. Wang is directed to optimizing standby mode for improved power performance of a mobile device. Wang discloses, and

as cited in the Office Action, examining the numbers whereby the numbers determine if the mobile device is in a sleep mode or another mode. In addition, Wang discloses adding an additional timeslot to introduce an offset between superframe structure of a paging channel and the superframe channel of a broadcast control channel. See column 7, lines 14-32. In other words, the additional timeslot is used in waking up the device from a sleep mode.

In view of the foregoing, Wang does not disclose the examination or use of the duration of timeslots to determine the mode of operation, e.g. dispatch or non-dispatch operation, as claimed by the present invention. Thus, Applicants respectfully submit that the present invention is not anticipated by Wang. Applicants therefore respectfully request that the rejection to claims 1, 6, and 15 under Section 102(b) in view of Wang be withdrawn. As claims 4 and 9 depend upon and include all the limitations of claims 1 and 5, respectively, Applicant respectfully requests that the rejection be withdrawn as to those claims too.

In the Office Action, claims 10-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,475,689 to Kay et al. Applicant has amended claim 10 to overcome this rejection. Similar to claim 15, claim 10 is directed to an apparatus that includes first transmission circuitry that broadcasts the duration of the first slot cycle to remote units utilizing a first mode of operation and a second transmission circuitry that broadcasts the duration of the second slot cycle to the remote units utilizing a second mode of operation. As stated above, the duration of the slot cycles is utilized to determination of the mode of operation.

Kay is directed to the use of remote units that can operate in dispatch and non-dispatch modes. While the present invention concerns the use of the slot cycle durations to determine the mode of operation, Kay does not examine or otherwise utilize the slot cycle's durations for any purpose. In Kay, a master control channel is added to handle user registration and datagram bandwidth requests for dispatch modes.

In view of the foregoing, Kay does not disclose the examination or use of the duration of timeslots to determine the mode of operation, e.g. dispatch or non-dispatch operation, as claimed by the present invention. Thus, Applicants respectfully submit that the present invention is not anticipated by Kay. Applicants therefore respectfully request

that the rejection to claim 10 under Section 102(b) in view of Wang be withdrawn. As claims 11-14 depend upon and include all the limitations of claim 10, Applicants respectfully request that the rejection be withdrawn as to those claims too.

In the Office Action, claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of United States Patent No. 5,452,288 to Rahuel et al. Applicant has amended claim 1, upon which claim 5 depends, and has made consistent amendments to claim 5 to obviate the rejection. In particular, amended claim 5 is directed to determining a service of operation based on the duration of a slot cycle and then transmitting a message including the second slot cycle over the paging channel. Assuming *arguendo* that Rahuel discloses broadcasting the second slot cycle to remote users over the paging channel, it does not disclose, teach or otherwise suggest the using the duration of the slot cycles to determine the mode of operation. Accordingly, Applicants respectfully submit that the combination of Wang and Rahuel does not render the invention of claim 5 obvious. Applicants therefore respectfully request that the rejection of claim 5 under Section 103(a) be withdrawn.

In the Office Action, claims 7-8 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Kay. Applicant has amended claims 6, upon which claims 7-8 depend, and claim 15, upon which claim 16 depends, to obviate the rejection. With respect to claims 7 and 15, the Office Action states that the combination of Wang and Kay discloses the present invention as claimed as applied to claim 6. According to the Office Action, Kay discloses determining the mode of operation from a dispatch mode and a non-dispatch mode which is not found in Wang. With respect to claim 8, the Office Action applies the rejection to claim 6 and states that Kay discloses the step of using the first slot cycle when operating in the first mode of operation and using the second slot cycle when operating in the second mode of operation, which is not disclosed in Wang. As stated above, Wang and Kay, however, do not disclose, teach or otherwise suggest the use of the duration of the first and second slot cycles to determine the mode of operation.

In view of the foregoing, Applicants respectfully submit that the present invention as found in claims 7-8 and 15 are not obvious in view of Wang and Kay. It is therefore

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respectfully requested that the rejection under Section 103(a) to these claims be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,
Harris, John M. et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 22917

By: _____



Simon B. Anolick
Attorney for Applicant
Registration No.: 37,585
Telephone: 847-576-4234
Fax: 847-576-3750